

AO 120 (Rev. 2/99)

TO:  <b>Commissioner of Patents</b> <b>P.O. Box 1450</b> <b>Alexandria, VA 22313-1450</b>	<b>REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK</b>
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In Compliance with 35 § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been  
 filed in the U.S. District Court Colorado on the following Patents

DOCKET NO. <b>10-cv-00134-MSK</b>	DATE FILED <b>1/21/10</b>	U.S. DISTRICT COURT <b>FOR THE DISTRICT OF COLORADO</b>
PLAINTIFF Holte et al		DEFENDANT Titan Chair LLC et al
PATENT OR	DATE OF PATENT	HOLDER OF PATENT OR TRADEMARK
1 <b>7,185,604</b>		<b>Please see copy of Complaint attached hereto</b>
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5		

In the above—entitled case, the following patent(s) have been included:

DATE INCLUDED	INCLUDED BY <input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading		
PATENT OR	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK	
1			
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In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT  <div style="text-align: center; font-family: cursive; font-size: 1.2em;">       Consent Judgment dated 2/16/11     </div>
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CLERK  <b>GREGORY C. LANGHAM</b>	(BY) DEPUTY CLERK  <i>Loelle Staveli</i>	DATE  <b>3/10/11</b>
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Copy 1—Upon initiation of action, mail this copy to Commissioner    Copy 3—Upon termination of action, mail this copy to  
 Copy 2—Upon filing document adding patent(s), mail this copy to Commissioner    Copy 4—Case file copy

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Honorable Marcia S. Krieger

Civil Action No.10-cv-00134-MSK-KMT

DEBRA L. HOLTE; and  
BUDDY BEDS LLC,

Plaintiffs,

v.

TITAN CHAIR LLC;  
TITAN CHAIR LLC, d/b/a iCozeedogbed, d/b/a iCozeedogbed.com;  
STEVEN CHA; and  
SUN K. CHA,

Defendants.

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**CONSENT JUDGMENT**

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THIS MATTER comes before the Court on the Joint Motion for Judgment (Joint Motion for Entry of Stipulated Consent Judgment (Motion) (#45) filed January 21, 2011. Having reviewed the Motion ,

**IT IS ORDERED** that the Motion is **GRANTED**.

WHEREAS Debra L. Holte is the owner of United States Patent No. 7,185,604 entitled "Orthopedic Pet Cushion" ("the '604 patent"), which contains various claims for pet beds that employ memory foam;

WHEREAS Defendants previously imported into the United States, offered for sale, and sold pet beds under the "iCozee" brand name and maintained a website at the address: [www.icozeedogbeds.com](http://www.icozeedogbeds.com);

WHEREAS on January 21, 2010, Debra L. Holte and Buddy Beds LLC (collectively, "Buddy Beds") brought claims against Titan Chair LLC, Titan Chair LLC d/b/a iCozeedogbed and/or [iCozeedogbed.com](http://iCozeedogbed.com), and Steven Cha (collectively, "Defendants") for, among other things, patent

infringement and false advertising under the Lanham Act and Colorado Consumer Protection Act;

WHEREAS on November 16, 2010 ("Effective Date"), Buddy Beds and Defendants entered into a Settlement and Royalty Agreement ("the Agreement") resolving this action;

WHEREAS pursuant to the Agreement, Buddy Beds and Titan Chair have agreed to the entry of this Consent Judgment;

NOW THEREFORE, the Court, finding good cause hereby further ORDERS, ADJUDICATES and DECREES that:

1. This Court has personal jurisdiction over Titan Chair and subject matter jurisdiction over the claims and counterclaims presented in this case;
2. Defendants, their parents, subsidiaries, affiliates, officers, agents, servants, employees, attorneys, and those persons in active concert or participation with them who receive actual notice of this Order, are hereby ENJOINED from selling or offering to sell any pet bed products, from falsely advertising any pet bed products, and from selling, offering to sell, manufacturing or importing into the United States any pet bed product that would satisfy any claim(s) of the '604 Patent, either literally or under the doctrine of equivalents. The injunction in this paragraph shall take effect immediately upon entry of this Order.
3. Defendants shall donate, free of charge and within 90 days of entry of this order, any unsold pet bed inventory to the American Society for the Prevention of Cruelty to Animals (ASPCA), the Humane Society, or another comparable animal charity organization. After donating its remaining inventory, Defendants shall provide written confirmation of the donation to Buddy Beds.
4. This Court retains jurisdiction to monitor and enforce compliance with the Agreement and this consent judgment.
5. The Clerk shall close this case.

DATED this 16<sup>th</sup> day of February, 2011.

BY THE COURT:



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Marcia S. Krieger

United States District Judge

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